



Paper No. 12

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OFFICE OF PETITIONS

In re Application of
Kipp et al.
Application No. 10/021,692
Filed: December 12, 2001
Attorney Docket No. F-6865

: DECISION ON
: PETITION
:
:

This is a decision on the petition under 37 CFR 1.10(c), filed on December 26, 2002, requesting that the above-identified application be accorded a filing date of December 12, 2001, instead of the present filing date of May 30, 2002.

As previously stated in the Notice to File Missing Parts of Nonprovisional Application - Filing Date Granted (Notice) of February 11, 2002, the above-identified application had been accorded a filing date of December 12, 2001. Moreover, in support of the allegation, the present petition is accompanied by a copy of Express Mail label No. EL831512267US. The "date-in" indicated on the Express Mail label is December 12, 2001. The same Express Mail label number was placed on the original application papers located in the official file.

The record supports applicants' assertion that the United States Patent and Trademark Office erroneously changed the application filing date to May 30, 2002, the date of applicants' response to the Notice. The Office sincerely apologizes for the error.

Accordingly, the petition is granted.

The application is being forwarded to the Office of Initial Patent Examination for correction of the filing date to December 12, 2001, and the mailing of a corrected filing receipt.

Any inquiries related to this decision should be directed to the undersigned at (703) 306-5589.

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